

REMARKS

This responds to the Office Action mailed on November 13, 2003.

Claims 1, 8, 16, and 22 are amended herein; as a result, claims 1-27 are now pending in this application. Applicants do not believe that the amendments to claims 1, 8, 16, and 22 necessitate a new search, further these amendments are made to place the application in condition for allowance. Thus, Applicants respectfully assert that these amendments are appropriate and respectfully request that the Examiner enter these claim amendments.

§102 Rejection of the Claims

Claims 1-4, 6, 7, 16, 17 and 19-27 were rejected under 35 USC § 102(e) as being anticipated by May (US 6,614,419). In order to sustain an anticipation rejection, each and every element or step in the rejected claims must be taught or disclosed in the cited reference. Here, Applicants respectfully assert that May fails to teach or disclose labels that can be modified as is now recited in Applicants' amended independent claims 1, 16, 22. Thus, Applicants respectfully assert that the rejections with respect to claims 1-4, 6, 7, 16, 17, and 19-27 be withdrawn.

May does not teach, suggest, or disclose any teaching of a soft key or a button associated with a label where that label can be modified. More specifically, in May the controls presented in the specification and the figures are permanently associated with a fixed and constant label. *E.g.*, May, FIG. 1A controls 12, 14, 16, 18, and 20. These controls are associated with indicator lights referred to as reference numerals 24, 26, 28, 30, and 32 in FIG. 1A of May. The indicator lights turn on and off based on activation of the controls. The controls and their labels cannot be changed. The labels are pre-established constants that are permanently affixed to static and pre-defined controls. There is no ability in May to change labels to be associated with other controls.

Accordingly, Applicants assert that May does not teach, disclose or suggest soft keys or buttons associated with labels that can be modified as is recited in Applicants' amended independent claims 1, 16, and 22. Thus, Applicants respectfully request that the rejections with respect to claims 1-4, 6, 7, 17, and 19-27 be withdrawn.

§103 Rejection of the Claims

Claim 5 was rejected under 35 USC § 103(a) as being unpatentable over May (US 6,614,419) in view of Walker (US 6,279,017). Claim 5 is dependent from independent claim 1. Therefore, based on the remarks presented above with respect to independent claim 1, Applicants respectfully assert that claim 5 is in condition for allowance and respectfully request an indication of the same.

Claims 8-14 were rejected under 35 USC § 103(a) as being unpatentable over May (US 6,614,419) in view of Adams et al. (US 6,314,343). To sustain an obviousness rejection, each and every element in the rejected claims must be taught or suggested in the cited references. Once again, Applicants respectfully assert that neither May nor Adam standing alone or in combination teaches a label strip region which is adjacent to activation buttons where the label strip region is modifiable.

May does not have the ability or the necessary teaching that would permit its labels to be modified with respect to the functions or controls that each of its labels are permanently affixed to. That is, May does not permit hard coded and pre-defined controls to be redefined and reused as other functions or controls. Therefore, there is no teaching or suggestion in May where the labels associated with controls are modifiable. Consequently, Applicants respectfully assert that May lacks the required teaching for which the Examiner has relied upon in rejection Applicants amended independent claim 8. Thus, Applicants respectfully request that the rejections with respect to claims 8-14 be withdrawn.

Claim 15 was rejected under 35 USC § 103(a) as being unpatentable over May (US 6,614,419) and Adams (US 6,314,343) in view of Robinson et al. (US 4,651,282). Claim 15 is dependent from Applicants' amended independent claim 8. Therefore, for the reasons presented above Applicants respectfully assert that claim 15 is in condition for allowance and respectfully request an indication of the same.

Claim 18 was rejected under 35 USC § 103(a) as being unpatentable over May (US 6,614,419) in view of Briffe et al. (US 6,057,786). Claim 18 is dependent from Applicants' amended independent claim 16. Thus, for the reasons presented above Applicants respectfully

AMENDMENT AND RESPONSE UNDER 37 CFR § 1.116 -- EXPEDITED PROCEDURE

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assert that claim 18 is in condition for allowance and respectfully request an indication of the same.

CONCLUSION

Applicants respectfully submit that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicants' attorney (513) 942-0224 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

DALE LANGER ET AL.

By their Representatives,

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Date 1-12-04

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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Mail Stop AF, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 12 day of January, 2004.

Candis B. Buending

Name

Signature